



Bankruptcy Code on January 5, 2015.

2. This Court appointed Cindy Boudloche to serve as Trustee of the above-captioned Estate.

3. This Court has jurisdiction of this Motion pursuant to 11 U.S.C. §§ 362 and 363 and 28 U.S.C. §§ 157 and 1334.

4. Debtor, Becky Rosales and Maribel Alvarez (hereinafter "Alvarez") are co-makers on a Real Estate Lien Note owed to Movant.

5. Debtor and Alvarez executed a certain Real Estate Lien Note dated September 08, 2006, in the original principal sum of \$90,000.00 and payable to Movant (Loan No. 82863). The note is secured by a Deed of Trust dated September 08, 2006, covering the following described real property:

**Tract I:**

**Lot Twelve (12), Ivy Terrace, an addition to the City of McAllen, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 19, Page 20, Map Records, Hidalgo County, Texas.**

**Tract II:**

**Lot Eight (8), Deborah Heights Subdivision, an addition to the City of McAllen, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 20, Page 12, Map Records, Hidalgo County, Texas.**

**Save and Except the East three feet (3") previously conveyed by Quit-Claim Deed dated September 29, 1978, to Jim B. Rowland, Trustee, recorded in Volume 1598, Page 104, Deed Records, Hidalgo County, Texas.**

Movant filed said Deed of Trust as Document Number 1667969 in the Records of Hidalgo County, Texas.

6. The Note is in default. The principal amount owed on the Note on the date of bankruptcy filing was \$73,151.44. The value of the collateral is about \$175,000.00

which makes the Movant fully secured.

7. Movant seeks relief from the automatic stay for cause including lack of adequate protection of its interest in said real property.

8. Debtor's Chapter 13 plan proposes to make direct payments to Movant. However, the note is currently in arrears in the amount of \$2,122.80. The note also matures during the life of the plan and the current plan does not provide for a balloon payment.

9. Debtor's Chapter 13 plan does not provided treatment for ad valorem taxes.

10. The stay should lift as to Alvarez, the co-debtor, so that Movant may attempt to be made whole by collecting any deficiency amount from Alvarez. Movant has no relief available to it other than to seek relief from the automatic stay.

WHEREFORE, PREMISES CONSIDERED, Movant prays that, upon timely request, this Motion be set for hearing; that, upon hearing hereof, this Court enter an order terminating the automatic stay for the enforcement and prosecution of the rights of Movant under the Note and Deed of Trust, and that the Debtors turn over immediate possession of said real property to Movant; alternatively, that the Court enter an order conditioning the continuation of the automatic stay upon the adequate protection of Movant's interests in said real property, including, but not limited to, immediately paying all delinquent ad valorem taxes, providing proof of insurance and commencing monthly installments payments to Movant at an amount that will protect Movant's interest in the property and that the Court grant Movant a lift of the co-debtor stay and such other and further relief, at law and in equity, as it just.

Respectfully submitted,

/s/ Terry D. Key

TERRY D. KEY

State Bar No. 11370200

P.O. Box 1247

Weslaco, Texas 78599-1247

Telephone: (956) 968-5402

Telecopier: (956) 969-9402

Attorney in Charge for

**LONE STAR NATIONAL BANK**

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**CERTIFICATE OF SERVICE**

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This is to certify that a true and correct copy of the foregoing motion was served upon the debtors, the attorney for the debtors, and trustee, and the creditors, by first class mail, by mailing a copy of the motion and the exhibits attached thereto to said parties at their addresses as shown in the record of this case this 19<sup>th</sup> day of February, 2015.

/s/ Terry D. Key  
TERRY D. KEY

**Attorney for Debtor:**

Ricardo Guerra  
Law Office of Rick Guerra  
2211 Rayford Rd.  
Ste. 111 #134  
Spring, Texas 77386

**Debtors:**

Becky Rosales  
5302 N. 44<sup>th</sup> Lane  
McAllen, Texas 78504

**Trustee:**

Cindy Boudloche  
Chapter 13 Trustee  
555 N. Carancahua, Suite 600  
Corpus Christi, Texas 78401-0823

**Creditors:**

Attached hereto

Label Matrix for local noticing  
0541-7  
Case 15-70019  
Southern District of Texas  
McAllen  
Thu Feb 19 11:57:46 CST 2015

Ovation Services  
c/o Lane & Countryman  
Attorneys at Law  
8526 N. New Braunfels  
San Antonio, TX 78217-6304

Bank of South Texas  
506 E. Dove  
McAllen, TX 78504-2241

Capital One, N.a.  
Capital One Bank (USA) N.A.  
PO Box 30285  
Salt Lake City, UT 84130-0285

Conn Appliances, Inc. as Attorney-in-Fact an  
P.O Box 2358  
Beaumont, Texas 77704-2358

GECRB/Gap  
Attn: bankruptcy  
PO Box 103104  
Roswell, GA 30076-9104

Lacks Valley Stores Lt  
1200 E. Expressway 83  
McAllen, TX 78503-1618

Law Offices of Rick Guerra  
2211 Rayford Rd Ste. 111 #134  
Spring, Tx 77386-1548

Ovation Services  
c/o Lane & Countryman  
Attorneys at Law  
8526 N. New Braunfels  
San Antonio, Texas 78217-6304

Vantagebktx  
45 Ne Loop 410  
San Antonio, TX 78216-5832

Lack's Valley Stores, Ltd.  
Law Office of Jeanne E. Holmes, P.C.  
212 W. Nolana Loop  
McAllen, TX 78504-2513

7  
United States Bankruptcy Court  
1133 North Shoreline Blvd #208  
Corpus Christi, TX 78401-2042

Bby/cbna  
701 East 60th Street  
Sioux Falls, SD 57104-0432

Citibank/The Home Depot  
Citicorp Credit Svcs/Centralized Bankrup  
PO Box 790040  
Saint Louis, MO 63179-0040

Conns Credit Corp  
3295 College St  
Beaumont, TX 77701-4611

INTERNAL REVENUE SERVICE  
P O Box 7346  
Philadelphia PA 19101-7346

Lacks Valley Stores Lt  
1200 E. Expressway 83  
McAllen, TX 78503-1618

Lone Star National Bank  
4500 N. 10th St., Suite 305  
McAllen, TX 78504-2969

Security Fin  
C/o Security Finan  
Spartanburg, SC 29304

West Asset Management  
7171 Mercy Rd  
Omaha, NE 68106-2620

Lone Star National Bank  
c/o Terry D. Key  
2300 W. Pike Blvd., Suite 300  
Weslaco, TX 78596-4128

American Eagle GECRB  
GE Capital Retail bank/Attention: Bankru  
PO Box 103104  
Roswell, GA 30076-9104

Capl/bstby  
PO Box 6497  
Sioux Falls, SD 57117-6497

Comenity Bank/vctrsscc  
Po Box 182789  
Columbus, OH 43218-2789

GECRB / HH Gregg  
Attention: Bankruptcy  
PO Box 103104  
Roswell, GA 30076-9104

IRS  
PO Box 7346  
Philadelphia, PA 19101-7346

Lacks Valley Stores, Ltd.  
c/o Credit Department  
1300 San Patricia Drive  
Pharr, Texas 78577-2158

Lone Star Nb  
100 W. Ferguson  
Pharr, TX 78577-9517

US Trustee  
606 N Carancahua  
Corpus Christi, TX 78401-0680

World Finance Corp  
World Acceptance Corp/Attn Bankruptcy  
PO Box 6429  
Greenville, SC 29606-6429

World Finance Corporation  
501 South Bicentennial,  
Suite A  
McAllen, TX 78501-5290

Becky Rosales  
5302 N. 44th Lane  
McAllen, TX 78504-4871

Cindy Boudloche  
Chapter 13 Trustee  
555 N Carancahua  
Ste 600  
Corpus Christi, TX 78401-0823

Ricardo Guerra  
Law Office of Rick Guerra  
2211 Rayford Rd.  
Ste 111 #134  
Spring, TX 77386-1548

End of Label Matrix  
Mailable recipients 33  
Bypassed recipients 0  
Total 33

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
McALLEN DIVISION

IN RE:	§	
	§	
BECKY ROSALES	§	
Debtor	§	
	§	
LONE STAR NATIONAL BANK	§	
Movant	§	
	§	
VS.	§	CASE NO. 15-70019-M-13
	§	CHAPTER 13
	§	
BECKY ROSALES	§	
Respondents	§	
	§	
CINDY BOUDLOCHE	§	
Trustee	§	

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**ORDER GRANTING LONE STAR NATIONAL BANK  
MOTION FOR RELIEF FROM STAY AGAINST REAL PROPERTY**

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BE IT REMEMBERED that on this day, came on to be heard **Lone Star National Bank**, Motion for Relief From the Automatic Stay Against Real Property and the Co-Debtor. All parties in interest having been duly served pursuant to local rule 9001 of the Southern District of Texas; it is therefore,

ORDERED, ADJUDGED and DECREED that the automatic stay be and it is hereby LIFTED as to **Lone Star National Bank** to allow it to pursue its state law remedies against the Property, including foreclosure, repossession and/or eviction.

It is further

ORDERED that Movant is awarded its attorney fees and costs in the count of \$750.00.

It is further

ORDERED that the co-debtor stay is terminated as to MARIBEL ALVAREZ, the co-debtor.

It is further

ORDERED that the stay afforded by 11.U.S.C. § 362 is terminated with respect to Movant on the following described property, to wit:



**Tract I:**

***Lot Twelve (12), Ivy Terrace, an addition to the City of McAllen, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 19, Page 20, Map Records, Hidalgo County, Texas.***

**Tract II:**

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***Save and Except the East three feet (3") previously conveyed by Quit-Claim Deed dated September 29, 1978, to Jim B. Rowland, Trustee, recorded in Volume 1598, Page 104, Deed Records, Hidalgo County, Texas.***

SIGNED this \_\_\_\_\_ day of February, 2015.

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BANKRUPTCY JUDGE PRESIDING